

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JEFFREY DUNBAR REIFF,

Plaintiff,

v.

**CHAD T. MARKS, BOROUGH OF
WEST READING, EDWARD
FABRIZIANI, and WEST READING
BOROUGH POLICE DEPARTMENT
Defendants.**

CIVIL NO. 08-CV-5963

ORDER

AND NOW, this 23rd day of February, 2011, upon consideration of Defendants' Motion for Summary Judgment [doc. no. 34], Plaintiffs' Opposition [doc. no. 37], and Plaintiff's Counter-Statement of Facts [doc. no. 35] it is hereby **ORDERED** that Defendant's Motion is **GRANTED IN PART** and **DENIED IN PART**. Defendants' Motion for Summary Judgment is **GRANTED** as to Counts III & IV, and **DENIED** as to Counts V–XI, for the reasons set forth in the attached Memorandum Opinion.

The Clerk is **DIRECTED** to mark the docket in this matter as terminating the following Parties: Edward Fabriziani and West Reading Borough Police Department.

It is so **ORDERED**

BY THE COURT:

/s/ **Cynthia M. Rufe**

HON. CYNTHIA M. RUFÉ